

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1, 6, 9 and 10 are now present in the application. Claims 1, 6, 9 and 10 have been amended. Claims 2-5, 7 and 8 have been cancelled. Claim 1, 9 and 10 are independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

Since the amendments to the claims are simply made to either incorporate the allowable subject matter or rewrite allowable claims in independent form, it is believed that no new issue is raised. In accordance with the requirements of 37 C.F.R. §1.116, Applicant respectfully requests entry and consideration of the foregoing amendments.

Allowable Subject Matter

The Examiner has indicated that dependent claims 8-10 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant greatly appreciates the indication of allowable subject matter by the Examiner.

By the present amendment, independent claim 1 has been amended to include the subject matter of allowable dependent claim 8, as discussed hereinbelow.

In addition, claims 9 and 10 have been rewritten in independent form to include the subject matter of their base claim 1 and their respective intervening claims 2 and 4. Accordingly, it is believed that claims 9 and 10 are in condition for allowance.

Information Disclosure Citation

Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed on February 28, 2006, and for providing Applicant with an initialed copy of the PTO-1449 form filed therewith.

Claim Objections

Claim 7 has been objected to due to the presence of minor informalities. Since claim 7 has been cancelled, Applicant respectfully submits that this objection has been obviated and/or rendered moot. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Rejections Under Obviousness-type Double Patenting

Claims 1, 2, 4, 6 and 7 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 7,308,833 in view of Applicant's own disclosure and JP 62-195558. This rejection is respectfully traversed.

As mentioned, since claims 1 has been amended to incorporate the allowable dependent claim 8, which is not identified in this rejection, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. Accordingly, reconsideration and withdrawal of the rejection under the judicially created doctrine of obviousness-type double patenting are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Muta, U.S. Patent No. 5,586,901 in view of Applicant's own disclosure and JP 62-195558. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

As mentioned, by the present amendment, independent claim 1 has been amended to include the subject matter of dependent claim 8, which was indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that claim 1 is in condition for allowance. In addition, claim 6 has been amended to depend from allowable claim 9, and claims 2 and 4 have been cancelled. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Application No. 10/569,950
Amendment dated August 6, 2008
Reply to Office Action of May 16, 2008

Docket No.: 4731-0128PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: August 6, 2008

Respectfully submitted,

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